

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

SARA WHYTE,	:	
	:	
Plaintiff,	:	
v.	:	
	:	No. 3:18-CV-62 (CAR)
NATIONAL BOARD OF	:	
MEDICAL EXAMINERS,	:	
	:	
Defendant.	:	
_____	:	

**ORDER ON MOTION TO FILE DOCUMENTS UNDER SEAL**

Before the Court is Plaintiff Sara Whyte's Motion to File Documents under Seal [Doc. 3]. Therein, Plaintiff requests leave to file the following documents filed in support of her Motion for Temporary Restraining Order under seal: "the testing from the Behavioral Institute of Georgia," "the testing of January 13, 1999," and "the UGA evaluation from Mach 2015." Plaintiff argues these documents contain highly personal psychological evaluations and should be sealed to protect her privacy interests. Defendant does not oppose the Motion.

When determining whether to grant a motion to file under seal, the Court remains mindful that the public has a common law right of access to court records, and "[m]aterial filed in connection with any substantive pretrial motion, unrelated to

discovery, is subject to the common law right of access.”<sup>1</sup> The public right to access, however, is not absolute and “may be overcome by a showing of good cause, which requires ‘balanc[ing] the asserted right of access against the . . . party’s interest in keeping the information confidential.’”<sup>2</sup> In that regard, “[a] party’s privacy or proprietary interest in information sometimes overcomes the interest of the public in accessing the information.”<sup>3</sup>

Here, the Court finds that good cause exists to seal the psychological evaluations because Plaintiff’s privacy interest in the information contained in these documents overcomes the presumption in favor of public access. Therefore, Plaintiff’s Motion to File Documents under Seal [Doc. 3] is **GRANTED**, and it is hereby **ORDERED** that “the testing from the Behavioral Institute of Georgia,” “the testing of January 13, 1999,” and “the UGA evaluation from March 2015” be filed under seal.

**SO ORDERED**, this 6th day of May, 2018.

S/ C. Ashley Royal  
C. ASHLEY ROYAL, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup> *Romero v. Drummond Co.*, 480 F.3d 1234, 1245 (11th Cir. 2007).

<sup>2</sup> *Id.* at 1246 (quoting *Chicago Tribune Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1309 (11th Cir. 2001)).

<sup>3</sup> *Id.*